

ORIGINAL**UNITED STATES DISTRICT COURT**

for the

District of Hawaii

SUBPOENA TO TESTIFY BEFORE A GRAND JURY

To: Honolulu Authority for Rapid Transportation
1099 Alakea Street, Honolulu, HI 96813

YOU ARE COMMANDED to appear in this United States district court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: Honolulu Grand Jury 300 Ala Moana Boulevard, Honolulu, HI 96850	Date and Time: 02/21/2019 9:00 am
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You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

See Attachment

Date: February 3, 2019

CLERK OF COURT



A handwritten signature in dark ink, appearing to read "Sue Beitia".

Sue Beitia

Sue Beitia
United States District Clerk of Court

The name, address, e-mail, and telephone number of the United States attorney, or assistant United States attorney, who requests this subpoena, are:

Amalia L Fenton
300 Ala Moana Boulevard, Room 6-100 Honolulu, HI 96850
808-541-2850
amalia.fenton@usdoj.gov

PROOF OF SERVICE

This subpoena for *(name of individual or organization)* Honolulu Authority for Rapid Transportation
was received by me on *(date)* _____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____

_____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Brian DuBois

Printed name and title

Office of Inspector General
U.S. Department of Transportation
San Francisco, CA

Server's address

Additional information regarding attempted service, etc:

ATTACHMENT TO GRAND JURY SUBPOENA

To: Honolulu Authority for Rapid Transportation
Attn: Legal Department
Alii Place, Suite 1700
1099 Alakae Street
Honolulu, HI 96813

Please provide the below records

1. The Overland, Pacific, and Cutler (OPC) Internal Relocation File Audit Report prepared on December 5, 2017, by Michele Folk, for Honolulu Rail Transit Project.
2. The Overland, Pacific, and Cutler (OPC) Internal Relocation File Audit Report prepared on October 26, 2018, by Michele Folk, for Honolulu Rail Transit Project.
3. HART's Real Estate Acquisition Management Plan.
4. Relocation files for the 18 relocation files referenced in OPCs December 5, 2017 report. Records for the 18 relocation files include, but not limited to:
 - a. Title Work
 - b. Appraisals, appraisal reviews, and FTA concurrence
 - c. Offers to Owners
 - d. Settlements
 - e. Relocation Notes
 - f. Negotiation Log
 - g. Records of Relocation Assistance
5. Records identifying companies and personnel who worked as Right of Way consultants or staff for HART to administer relocation services.



U.S. Department of Justice

*United States Attorney
District of Hawaii**PJJK Federal Building
300 Ala Moana Blvd., Room 6-100
Honolulu, Hawaii 96850**(808) 541-2850
FAX (808) 541-2958*

February 4, 2019

Honolulu Authority for Rapid Transportation. Attn: Legal Department

RE: GRAND JURY SUBPOENA

Dear Sir or Madam:

Your company recently received a grand jury subpoena requiring you to produce documents on the date and time indicated before a federal grand jury sitting in the District of Hawaii. In order to avoid the inconvenience to you of personally appearing before the grand jury, you may elect to deliver the records to the federal law enforcement special agent serving the subpoena who will cause them to be returned to the grand jury on your company's behalf.

If you would like to elect this alternative means of production, please sign the accompanying production statement. If all the records called for by the subpoena are not being produced, please amend the statement to indicate when the records can be produced (if your company has access to them), where they are located (if your company does not have access to them), or why they can neither be produced nor located.

Thank you for your cooperation. If you have any questions, please feel free to contact the undersigned Assistant U.S. Attorney at (808) 541-2850.

Sincerely,

KENJI M. PRICE
United States Attorney
District of Hawaii

By

Amalia L. Fenton

for AMALIA L. FENTON
Assistant United States Attorney

Attachments

TO: UNITED STATES ATTORNEY
DISTRICT OF HAWAII

RE: GRAND JURY SUBPOENA

I, _____, hereby elect, on behalf of the Honolulu Authority for Rapid Transportation,
to respond to the grand jury subpoena duces tecum issued to the Honolulu Authority for Rapid Transportation,
calling for the production of records and documents to the grand jury on or before
February 21, 2019, at 9:00 a.m. by delivering/ mailing the records and documents called
for by the subpoena to the following person for delivery to the federal grand jury:

SA Brian DuBois
Office of Inspector General
San Francisco, CA

Phone: (415) 535-0060

I hereby certify that to the best of my knowledge, the records and documents
produced are all the records and documents called for by the subpoena which are in the
possession, custody and control of Honolulu Authority for Rapid Transportation.

NAME

TITLE

NOTE: A false, fictitious, or fraudulent statement or representation made in any matter
within the jurisdiction of any department or agency of the United States may
result in a fine of not more than \$250,000, or imprisonment for not more than 5
years, or both. (18 U.S.C. § 1001)

**CERTIFICATE OF AUTHENTICITY
OF
BUSINESS RECORDS**

I, _____ declare, pursuant to Title 28, U.S.C. § 1746,
(Print Name)
that I am employed by _____ and that my official title
(Name of Business)
or position is _____. I further declare that I am a custodian of records
(Official Title or Position)
of said business and that each of the records attached hereto is the original or a duplicate (exact
photocopy) of an original record in the custody of _____.
(Name of Business)

I further state that:

- 1) Such records were made, at or near the time of the occurrence of the matters set forth by (or from information transmitted by) a person with knowledge of those matters;
- 2) such records were kept in the course of a regularly conducted business activity;
- 3) the business activity made such records as a regular practice; and
- 4) if such records are not the originals, such records are duplicates of the originals.

I declare under penalty of perjury the foregoing is true and correct.

(Date of Execution)

(Print Name)

(Place of Execution)

(Signature)